

# **Reauthorization of the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973 (P.L. 111-13)**

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## Summary

The major federally funded community service and volunteer programs in this country are authorized under two statutes: the National and Community Service Act of 1990 (NCSA), as amended, and the Domestic Volunteer Service Act of 1973 (DVSA), as amended. The programs authorized by these statutes are administered by the Corporation for National and Community Service, an independent federal agency.

The NCSA is designed to address unmet human, educational, environmental, and public safety needs, to renew the ethic of civic responsibility, and encourage citizens to engage in national service. The central purpose of the DVSA is to foster and expand voluntary service in communities while helping the vulnerable, the disadvantaged, the elderly, and the poor.

On April 21, 2009, the President signed P.L. 111-13, The Edward M. Kennedy Serve America Act, to amend and reauthorize NCSA and DVSA through FY2014. Among other things, P.L. 111-13, which is effective on October 1, 2009, does the following:

- requires the Corporation to develop a plan to increase the number of approved national service positions from 88,000 in FY2010 to 250,000 in FY2017;
- authorizes a “Summer of Service” program, which would provide an educational award of \$500 for students entering grades 6 through 12 at the end of the summer who complete 100 hours of service in approved positions;
- provides that AmeriCorps State and National Programs can be funded through an Education Corps, a Healthy Futures Corps, a Clean Energy Corps, a Veterans Corps, or an Opportunity Corps;
- increases the national service educational award for full-time service from \$4,725 to the maximum amount of a Pell Grant, which in the 2009-2010 academic year is \$5,350;
- authorizes a ServeAmerica Fellowship program to allow individuals to design their own plans for serving their communities to address national needs;
- authorizes a Silver Scholarship Grant Program under which individuals age 55 and older who complete 350 hours of service are eligible to receive a \$1,000 silver scholarship educational award;
- authorizes a Social Innovation Funds Pilot Program to increase private and public investment in nonprofit community organizations;
- authorizes a Volunteer Generation Fund to develop and support community-based entities that recruit, manage, or support volunteers;
- requires the Corporation to establish a Nonprofit Capacity Building Program to support the organizational development of small and midsize nonprofit organizations; and
- increases the income eligibility of participants in the Foster Grandparent and Senior Companion Programs from 125% of the poverty level to 200%.

This report will not be updated.

# Contents

Background .....	1
National and Community Service Act of 1990.....	2
School-Based and Community-Based Service-Learning Programs (Title I-B) .....	2
Programs for Elementary and Secondary School Students (Part I) .....	2
Higher Education Innovative Programs for Community Service (Part II).....	2
Campuses of Service .....	3
Innovative and Community-Based Service Learning Programs and Research (Part III).....	3
Summer of Service .....	3
Youth Engagement Zone Program.....	3
Semester of Service .....	4
Service-Learning Impact Study (Part IV) .....	4
Authorization of Learn and Serve America Appropriations .....	4
National Service Trust Program (AmeriCorps) (Title I-C) .....	4
Allocations .....	5
Educational Awards Only Program.....	5
Authorization of AmeriCorps Appropriations.....	5
National Service Trust (Title I-D) .....	5
Authorization of National Service Trust Appropriations .....	6
National Civilian Community Corps (NCCC) (Title I-E).....	6
Authorization of NCCC Appropriations .....	6
Investment for Quality and Innovation (Title I-H).....	7
Call to Service Campaign and September 11 <sup>th</sup> Day of Service (Part I) .....	7
ServeAmerica Fellowships (Part I) .....	7
Silver Scholarships and Encore Fellowships (Part I).....	7
National Service Reserve Corps (Part II).....	7
Social Innovation Funds Pilot Program (Part III) .....	8
Volunteer Generation Fund (Part IV).....	8
Nonprofit Capacity Building Program (Part V) .....	8
Authorization of Appropriations for Investment for Quality and Innovation .....	8
Domestic Volunteer Service Act of 1973.....	9
Volunteers in Service to America (VISTA) (Title I-A) .....	9
Authorization of VISTA Appropriations .....	9
National Senior Service Corps (Title II) .....	9
Income Eligibility and Stipends.....	9
Competitive Grant Award Process .....	10
Authorization of Appropriations for the Senior Corps Programs .....	10
Additional Provisions .....	10
Growth in National Service.....	10
Evaluation and Accountability .....	11
Civic Health Assessment.....	11
Criminal History Checks.....	11
Training and Technical Assistance .....	11

## **Contacts**

Author Information.....	11
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## Background

The major federally funded community service and volunteer programs are authorized under two statutes: the National and Community Service Act of 1990 (NCSA) and the Domestic Volunteer Service Act of 1973 (DVSA). In general, these programs are administered by the Corporation for National and Community Service (hereafter referred to as the Corporation), an independent federal agency.

The NCSA is designed to address unmet human, educational, environmental, and public safety needs and to renew an ethic of civic responsibility by encouraging citizens to participate in national service programs. The major programs authorized by NCSA include School-Based and Community-Based Service-Learning Programs, also known as Learn and Serve America; National Service Trust Programs, also known as AmeriCorps State and National Grants; and the National Civilian Community Corps (NCCC). The NCSA also authorizes the National Service Trust, which funds educational awards for community service participants.

The central purpose of the DVSA, which authorizes the Volunteers in Service to America (VISTA) program and the National Senior Volunteer Corps, is to foster and expand voluntary service in communities while helping the vulnerable, the disadvantaged, the elderly, and the poor. The National Senior Volunteer Corps includes three main programs: the Foster Grandparents Program, the Senior Companion Program, and the Retired and Senior Volunteer Program (RSVP).

Prior to the enactment of P.L. 111-13, NCSA and DVSA were last amended in 1993 by the National and Community Service Trust Act of 1993 (P.L. 103-82). This act created (1) the Corporation to administer NCSA and DVSA programs, (2) a new national service program referred to as AmeriCorps, (3) a National Service Trust to fund educational awards to individuals participating in AmeriCorps and other select community service programs, and (4) state commissions on national and community service to receive funding under NCSA. Authorization of appropriations for the NCSA and DVSA programs expired at the end of FY1996. These programs continued to be funded, however, through annual appropriations measures.

On March 11, 2009, the House Committee on Education and Labor ordered reported, as amended, H.R. 1388, the Generations Invigorating Volunteerism and Education (GIVE) Act, to amend and reauthorize NCSA and DVSA.<sup>1</sup> The bill was ordered to be reported by a vote of 34 to 3. On March 16, 2009, the House Committee on Education and Labor reported, as amended, H.R. 1388 (H.Rept. 111-37). On March 18, 2009, the House passed H.R. 1388, as amended, by a vote of 321 to 105. Also, on March 18, 2009, the Senate Committee on Health, Education, Labor, and Pensions reported S. 277, the Serve America Act, with an amendment in the nature of a substitute without a written report.<sup>2</sup> On March 26, 2009, the language of S. 277, as amended, was inserted into H.R. 1388, and passed the Senate by a vote of 79 to 19. An amendment to amend the title to “The Edward M. Kennedy Serve America Act” was agreed to by unanimous consent. On March 31, 2009, the House agreed to the Senate version of H.R. 1388 by a vote of 275-149. The bill was signed into law on April 21, 2009 (P.L. 111-13).

The focus of this report is on selected amendments P.L. 111-13 makes to NCSA and DVSA. This report will not be updated.

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<sup>1</sup> H.R. 1388 was introduced on March 9, 2009, and was similar to H.R. 5563, which was considered by the House in the 110<sup>th</sup> Congress. For more information on H.R. 5563, see CRS Report RL34096, *Reauthorization in the 110th Congress of the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973*, by Ann Lordeman.

<sup>2</sup> S. 277 was introduced on January 16, 2009, and was similar to S. 3487 introduced in the 110<sup>th</sup> Congress.

# **National and Community Service Act of 1990**

## **School-Based and Community-Based Service-Learning Programs (Title I-B)**

Programs authorized under Title I-B are generally referred to by the Corporation as Learn and Serve America programs. These programs are intended to benefit both communities and students. Under prior law,<sup>3</sup> there were three Learn and Serve America programs: school-based programs for students, higher education innovative programs for community service, and community-based service programs for school-age youth. Three Learn and Serve Programs continue to be authorized under P.L. 111-13, but the community-based programs for school-aged youth are restructured as innovative and community-based service learning programs and research. P.L. 111-13 also establishes a service-learning impact study.

### **Programs for Elementary and Secondary School Students (Part I)**

These programs<sup>4</sup> help schools create service learning initiatives that involve elementary and secondary school students in community service that is integrated with their academic curricula. Under prior law, of the amount available for school-based programs not more than 3% was reserved for grants to Indian tribes and U.S. territories. Of the remainder, 75% was allocated by formula to state educational agencies (SEAs), and 25% was awarded competitively to SEAs, Indian tribes, U.S. territories, and other entities.

Under P.L. 111-13, not less than 2% or more than 3% is reserved for grants to Indian tribes and territories. All of the remainder is allocated by formula to SEAs; the competitive awards are eliminated.

Under prior law, there was no minimum allotment to states. Under P.L. 111-13, if the total appropriation for Learn and Serve Programs exceeds \$50 million, each state will receive a minimum allotment of \$75,000.

### **Higher Education Innovative Programs for Community Service (Part II)**

These programs help institutions of higher education and nonprofit organizations to create service learning initiatives that involve postsecondary school students in community service that complements their academic studies. P.L. 111-13 adds the requirement that grantee institutions meet the Higher Education Act minimum requirement regarding the participation of federal work-study students in community service activities.<sup>5</sup> P.L. 111-13 also requires the Corporation to give special consideration to applications submitted by Alaska Native-serving institutions; Asian American and Native American Pacific Islander-serving institutions; Hispanic-serving institutions; historically black colleges and universities; Native American-serving, nontribal institutions; Native Hawaiian-serving institutions; Predominantly Black Institutions; tribally

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<sup>3</sup> In this report, the phrase “under prior law” refers to the provisions enacted in the National Community Service Act of 1990, as amended, and the Domestic Volunteer Service Act of 1973, as amended.

<sup>4</sup> In prior law, these programs were titled School-Based Programs for Students.

<sup>5</sup> This requirement under Sec. 443(b)(2)(B) of the Higher Education Act of 1965 requires institutions of higher education to spend a minimum of 7% of their federal work study allocation to compensate students employed in community service jobs and to operate at least one tutoring or family literacy project in service to the community, unless they receive a waiver.

controlled colleges and universities; and community colleges serving predominantly minority populations.

### ***Campuses of Service***

Section 118A of P.L. 111-13 authorizes the Corporation to annually designate up to 25 institutions of higher education as Campuses of Service, from among institutions nominated by state commissions. A state commission can nominate one four-year public institution, one four-year private institution, and one two-year institution to the Corporation. Selected institutions would encourage or assist students in pursuing public service careers, either for the government or for nonprofit organizations.

## **Innovative and Community-Based Service Learning Programs and Research (Part III)**

Prior law authorized community-based service programs to help community groups create service learning initiatives that involved elementary and secondary school students in community service. Funds were distributed through competitive grants given by the Corporation to national nonprofit organizations and state commissions. Funds were then awarded in local competitions.

P.L. 111-13 restructures community-based service programs as innovative and community-based service learning and research. The Corporation is authorized to make three-year competitive grants with a possible one-year extension to entities such as an SEA, a state commission on national and community service, a territory, an Indian tribe, an institution of higher education, a public or private nonprofit organization, or a consortia of entities that could include a for-profit organization. Allowable activities include integrating service learning programs into science, technology, engineering, and mathematics (STEM) curricula; involving students in service learning focused on energy conservation and emergency and disaster preparedness; improving student access to computers and other emerging technologies; involving high school students in mentoring middle school youth; conducting research and evaluations on service learning; establishing a summer of service program; establishing a youth engagement zone service learning program; and conducting a semester of service program.

### ***Summer of Service***

Section 119(c)(8) of P.L. 111-13 authorizes a summer of service program under which students entering grades 6 through 12 at the end of the summer who complete 100 hours of service in an approved position would be eligible for an educational award of \$500 from funds deposited in the National Service Trust. (For a description of the trust, see below.) The Corporation's chief executive officer could increase the award to \$750 in the case of a participant who is "economically disadvantaged." A participant could earn a maximum of two summer of service educational awards. Awards could be used to pay for educational expenses at an institution of higher education or to repay qualified student loans.

### ***Youth Engagement Zone Program***

Section 119(c)(9) of P.L. 111-13 authorizes a youth engagement zone program in which entities such as community-based agencies and local educational agencies would collaborate to provide coordinated school-based or community-based service learning opportunities. This program would involve high school students in addressing a specific community challenge, and would also involve out-of-school youth in school-based or community-based service learning activities.

### ***Semester of Service***

Section 119(c)(10) of P.L. 111-13 authorizes a semester of service program, which would provide opportunities for secondary school students to participate in a semester of coordinated school-based or community-based service-learning opportunities for a minimum of 70 hours for which the participants would receive academic credit for the time spent in the classroom and in the field.

### **Service-Learning Impact Study (Part IV)**

P.L. 111-13 requires the Corporation to enter into a contract with an entity that is not a recipient of Learn and Serve funding to conduct a 10-year longitudinal study on the impact of the service-learning activities. The entity would submit a final report to the Corporation containing the results of the study and information on best practices. The Corporation would submit the report to the authorizing committees, and make the report available to the public on the Corporation's website.

### **Authorization of Learn and Serve America Appropriations**

Under prior law, authorization of funds for Learn and Serve America Programs specified that of the funds appropriated, 63.75% were for school-based programs, 25% for the higher education programs, and 11.25% for community-based programs. P.L. 111-13 specifies in Section 501(a)(1) that of the funds appropriated for Learn and Serve America Programs, the Corporation may reserve such sums as may be necessary for a service-learning impact study. Further, not more than \$7 million is to be available for Campuses of Service, not more than \$10 million is to be available for summer of service grants, not more than \$10 million is to be deposited in the National Service Trust for the summer of service educational awards, and not more than \$15 million is to be available for youth engagement zones. Of the remainder, 60% is for school-based programs, 25% for the higher education programs, and 15% for innovative and community-based service learning and research. P.L. 111-13 authorizes \$97 million for Learn and Serve America programs for FY2010 and such sums as may be necessary for each of FY2011 through FY2014. The FY2009 appropriation is \$37.5 million.

### **National Service Trust Program (AmeriCorps) (Title I-C)**

This program is generally referred to as the AmeriCorps State and National Grants Program or simply as AmeriCorps. Participants in AmeriCorps provide services that address unmet needs for the direct benefit of communities through local service programs operated by a wide range of organizations. In general, participants receive a living allowance and an educational award. Educational awards can be used to pay for educational expenses at an institution of higher education or to repay qualified student loans.

Section 112 of P.L. 111-13 revises and expands the types of programs that can be funded. Specifically, programs can be funded through (1) an Education Corps that identifies and addresses unmet educational needs within communities; (2) a Healthy Futures Corps that identifies and addresses unmet health needs; (3) A Clean Energy Corps that identifies and addresses unmet environmental needs; (4) a Veterans Corps that identifies and addresses the unmet needs of veterans; or (5) an Opportunity Corps that identifies and addresses unmet needs relating to economic opportunity for economically disadvantaged individuals. In addition, a range of other national service programs that focus on meeting community needs can be funded. Section 129 of P.L. 111-13 directs the Corporation to select two or more of the national service corps to receive grants for a fiscal year.



## **Allocations**

AmeriCorps consists of state formula grants, state competitive grants, national competitive grants to non-profit organizations, and set-asides for Indian tribes and U.S. territories. The authorizing statute specified how the Corporation allocated funds. Since FY1997, however, the appropriations bills had capped the amount that could be allocated for national competitive grants. The actual distribution of funds allocated by the Corporation for FY2008 was 33% for state formula grants, 42% for state competitive grants, 23% for national competitive grants, 1% for Indian tribes, and 1% for U.S. territories.

Under P.L. 111-13, the distribution of funds allocated by the Corporation is 62.7% for combined state and national competitive grants, 35.3% for state formula grants, 1% for Indian tribes, and 1% for U.S. territories. P.L. 111-13 also establishes a minimum state formula grant of \$600,000 or 0.5% of the amount allocated for state formula, whichever is greater.

## **Educational Awards Only Program**

Section 129A of P.L. 111-13 includes, as part of AmeriCorps, the educational awards only program in which the Corporation pays only for the educational award—not any living allowance—and a fixed, relatively small amount to the sponsor organization for operational support. From FY1997 to FY2003, this program operated under Subtitle I-H, Investment for Quality and Innovations, which contains the authority for demonstration projects.<sup>6</sup> Since FY2004, annual appropriations bills have included funding for the program in the appropriation for AmeriCorps. Prior to enactment of P.L. 111-13, a program could receive up to \$600 per member service year (MSY) for operational support.<sup>7</sup> P.L. 111-13 allows the Corporation to provide operation support of not more than \$800 per individual enrolled in an approved national service position, or not more than \$1,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.<sup>8</sup>

## **Authorization of AmeriCorps Appropriations**

Section 501(a)(2) of P.L. 111-13 authorizes such sums as may be necessary for Title I-C (AmeriCorps) and Title I-D (National Service Trust) together for each of FY2010 through FY2014.<sup>9</sup> The FY2009 appropriation for AmeriCorps is \$271.2 million.

## **National Service Trust (Title I-D)**

The National Service Trust is a special account in the U.S. Treasury that provides educational awards to participants in AmeriCorps, the National Civilian Community Corps, and Volunteers in Service to America (VISTA). The National Service Trust also pays interest on qualified student loans of participants who have obtained forbearance (i.e., postponement) in the repayment of their loans while participating in these programs. P.L. 111-13 also permits the Corporation to use trust

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<sup>6</sup> Subtitle I-H, Investment for Quality and Innovations, is a category of funding authorized by the National and Community Service Act of 1990, as amended, to support special initiatives and demonstration projects.

<sup>7</sup> A member service year is defined as 1,700 hours of service.

<sup>8</sup> “Disadvantaged youth” is defined in P.L. 111-13 as youth who are economically disadvantaged and one or more of the following: out-of-school youth, in or aging out of foster care, have limited English proficiency, homeless or have run away from home, at-risk to leave school without a diploma, juvenile offenders or at risk of delinquency, individuals with a disability.

<sup>9</sup> Prior law authorized NCSA Title I subtitles C, D, and H (investment for Quality and Innovation) together, but did not authorize funding for each program individually.

funds to pay for the educational awards under the new authorized summer of service program, the Silver Scholarship program, and the Serve America Fellowship Program.

Under prior law, the amount of a national service educational award for full-time service was \$4,725. (Pro-rated awards are also made for other terms of service, such as half-time.) Under P.L. 111-13, the educational award for full-time service will be equal to the maximum amount of a Pell Grant in the year in which the Corporation approves the national service position. In the 2009-2010 academic year the maximum Pell Grant amount is \$5,350. Also, prior law specified that an individual could receive a maximum of two educational awards, regardless of whether those awards were for full-time, part-time, or a combination of different terms of service. Under P.L. 111-13, an individual can receive up to an amount equal to the aggregate value of two national educational awards for full-time service. The summer of service educational awards are not included in this limit.

Under prior law, no educational awards could be transferred to another individual. Under P.L. 111-13, a recipient of an educational award for service in an AmeriCorps program authorized under Title I-C who was age 55 or older before the start of the term of service or a recipient of a Silver Scholarship could transfer their educational award to a child or grandchild.

### **Authorization of National Service Trust Appropriations**

Section 501(a)(2) of P.L. 111-13 authorizes such sums as may be necessary for Title I-C (AmeriCorps) and Title I-D (National Service Trust) together for each of FY2010 through FY2014.<sup>10</sup> The FY2009 appropriation for the trust is \$131.1 million.

### **National Civilian Community Corps (NCCC) (Title I-E)**

NCCC is both a 10-month and a summer residential program for young adults ages 18-24 administered by the Corporation.<sup>11</sup> NCCC participants address critical needs in education, public safety, the environment, and disaster relief. Participants serve various communities at one of five campuses, and receive a living allowance and an educational award. P.L. 111-13 expands the focus of NCCC to include disaster relief, infrastructure improvement, environment and energy conservation, environmental stewardship, and urban and rural development. P.L. 111-13 requires that the percentage of participants in the program who are disadvantaged youth<sup>12</sup> increase to 50% of all participants by 2012.

### **Authorization of NCCC Appropriations**

Section 501(a)(3) of P.L. 111-13 authorizes such sums as may be necessary for each of FY2010 through FY2014. The FY2009 appropriation is \$27.5 million. Priority for funds appropriated is to be given to programs carrying out activities in areas for which the President has declared a major disaster.

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<sup>10</sup> Prior law authorized NCSA Title I subtitles C, D, and H (investment for Quality and Innovation) together, but did not authorize funding for each program individually.

<sup>11</sup> P.L. 111-13 includes language stating that NCCC “*may include a residential component.*” [Emphasis added.]

<sup>12</sup> See footnote 8.

## **Investment for Quality and Innovation (Title I-H)**

Under P.L. 111-13, the Corporation continues to have broad authority to fund a range of activities to support national service.<sup>13</sup> P.L. 111-13 revises Subtitle H by deleting some specific activities that the Corporation could fund and adding others. The newly authorized initiatives are discussed below.

### **Call to Service Campaign and September 11<sup>th</sup> Day of Service (Part I)**

Section 198 of P.L. 111-13 requires the Corporation to conduct a nationwide “Call to Service” campaign, to encourage all people of the United States to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. P.L. 111-13 also authorizes the Corporation to promote the establishment of September 11 as an annually observed National Day of Service and Remembrance.

### **ServeAmerica Fellowships (Part I)**

Section 198B of P.L. 111-13 authorizes the ServeAmerica Fellowship program to allow individuals to design their own plans for serving their communities to address national needs. Potential fellows apply to their State Commission and those selected as fellows then select a service sponsor organization that is registered with the State Commission. The Corporation will provide funds by a formula based on population to State Commissions to support a total of 500 positions in FY2010; the number of positions will increase by 250 in each of the following four fiscal years, reaching 1,500 positions in FY2014. P.L. 111-13 requires that State Commissions make an effort to award one-third of their fellowships in each fiscal year to fellows serving in an organization with not more than 10 full-time staff and 10 part-time staff. Each fellow is eligible to receive a subsistence allowance and an educational award.

### **Silver Scholarships and Encore Fellowships (Part I)**

Section 198C of P.L. 111-13 authorizes the Corporation to award three-year grants with possible one-year extensions to community-based organizations to carry out the Silver Scholarship Grant Program. Under this program, individuals age 55 and older who complete 350 hours of service are eligible to receive a \$1,000 educational award, which could be transferred to a child or grandchild.

Section 198C of P.L. 111-13 also authorizes the Corporation to award grants to nonprofit organizations to carry out the Encore Fellowship program. Under this program, individuals age 55 and older carry out a service project for one year and receive training to transition to public service in the nonprofit sector or government. Each fellow is eligible to receive a subsistence allowance. P.L. 111-13 requires an independent evaluation of both the Silver Scholarship program and the Encore Fellowship program.

### **National Service Reserve Corps (Part II)**

Section 198H of P.L. 111-13 authorizes a National Service Reserve Corps to prepare and deploy veterans or individuals who have completed a term of national service to respond to natural disasters and other emergencies in a timely manner. National Service Reserve Corps members must complete training every two years and volunteer not less than 10 hours each year. The

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<sup>13</sup> Prior to enactment of P.L. 111-13, under Subtitle I-H of the NCSA, the Corporation funded activities such as Martin Luther King, Jr., Day of Service, Disability Grants, and a Service Learning Clearinghouse.

Corporation is authorized to designate organizations to utilize Corps members in the event of a disaster. If the Corps is deployed, the Corporation will give Corps members 30-day assignments, make travel arrangements for Corps members, and provide funds to designated organizations to provide housing, living stipends, and insurance for deployed members.

### **Social Innovation Funds Pilot Program (Part III)**

Section 198K of P.L. 111-13 authorizes a Social Innovation Funds grant program, which leverages federal investments to increase state, local, business, and philanthropic resources to replicate and expand proven solutions and invest in supporting new innovations to tackle specific identified community challenges. Under P.L. 111-13, the Corporation is authorized to award five-year grants (renewable for a second five-year period) to existing grantmaking institutions or partnerships between existing grantmaking institutions and certain entities. The grants are for amounts between \$1 million and \$10 million per year and grantees are required to match federal funding on a \$1 for \$1 basis. Grantees then award subgrants to community organizations for three to five years (renewable for such periods) in amounts of at least \$100,000 per year; the subgrantee is required to match subgrant funding on a \$1 for \$1 basis in cash. Finally, P.L. 111-13 allows the Corporation to use up to 10% of funds appropriated to the Social Innovation Funds to award grants directly to community organizations under terms similar to those for subgrants.

### **Volunteer Generation Fund (Part IV)**

Section 198P of P.L. 111-13 authorizes a Volunteer Generation Fund with which the Corporation may make grants to State Commissions and nonprofit organizations to carry out or to develop and support community-based entities that recruit, manage, or support volunteers. Fifty percent of the funds will be allocated on a competitive basis and 50% will be allocated by formula to states, the District of Columbia, and Puerto Rico.

### **Nonprofit Capacity Building Program (Part V)**

Section 198S of P.L. 111-13 requires the Corporation to establish a Nonprofit Capacity Building Program to make grants to intermediary organizations to support the organizational development of small and midsize nonprofit organizations, especially those nonprofit organizations “facing resource hardship challenges.”<sup>14</sup> Organizational support includes training on best practices, financial planning, grant writing, and compliance with tax laws. The Corporation is required, to the extent practicable, to make grants to intermediary organizations in each state of not less than \$200,000. Of the funds appropriated under Title I-H, \$5 million is to be reserved for each of FY2010 through FY2014.

### **Authorization of Appropriations for Investment for Quality and Innovation**

Section 501(a)(4) of P.L. 111-13 authorizes such sums as may be necessary for Subtitle I-H (Investment for Quality and Innovations) for each of FY2010 through FY2014. Of the funds appropriated under Title I-H, P.L. 111-13 specifically makes available the following: (1) for ServeAmerica Fellowships, such sums as may be necessary; (2) for Silver Scholarships and Encore Fellowships, \$12 million for each fiscal year; (3) for Social Innovation Funds Pilot Programs, \$50 million in FY2010, \$60 million in FY2011, \$70 million in FY2012, \$80 million in FY2013, and \$100 million in FY2014; (4) for the National Service Reserve Corps, such sums as may be necessary; and (5) for the Volunteer Generation Fund, \$50 million in FY2010, \$60 million

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<sup>14</sup> Sec. 198S (b).

in FY2011, \$70 million in FY2012, \$80 million in FY2013, and \$100 million in FY2014. The FY2009 appropriation for Investment for Quality and Innovation is \$18.9 million.

## **Domestic Volunteer Service Act of 1973**

### **Volunteers in Service to America (VISTA) (Title I-A)**

VISTA volunteers work to alleviate poverty in communities by serving full-time, with no outside commitments for at least one year. To the maximum extent possible, they live among and at the economic level of the people they serve. Participants receive a living allowance, and either a cash stipend or an educational award. Under prior law, the Corporation set the monthly stipend at a minimum of \$100 a month and a maximum of \$125. Participants who chose the stipend received \$120 per month paid as a \$1,200 “lump sum” at the end of a service year. P.L. 111-13 establishes a minimum monthly stipend of \$125 and a maximum monthly stipend of \$150. Additionally, the Director of the Corporation can provide a maximum of \$250 per month to persons designated as volunteer leaders with at least one year of service, an increase from the \$200 maximum monthly stipend for volunteer leaders prior to enactment of P.L. 111-13.

P.L. 111-13 expands the types of assignments for VISTA members to include work in the following areas: re-integration of youth into society, financial literacy in low-income communities, before-school and after-school programs in low-income communities, community economic development initiatives, veteran assistance, and health and wellness of low-income and underserved communities.

### **Authorization of VISTA Appropriations**

Section 501(a)(1) of P.L. 111-13 authorizes \$100 million for FY2010 and such sums as may be necessary for each of FY2011 through FY2014. The FY2009 appropriation is \$96.1 million.

### **National Senior Service Corps (Title II)**

The National Senior Service Corps<sup>15</sup> (Senior Corps) consists primarily of the Retired and Senior Volunteer Program (RSVP), the Foster Grandparent Program, and the Senior Companion Program. Under prior law, participants in RSVP had to be 55 years of age or older and participants in the Foster Grandparent and Senior Companion Programs had to be 60 years of age or older. Under P.L. 111-13, individuals age 55 and older can participate in any of the three programs.

### **Income Eligibility and Stipends**

Prior to the enactment of P.L. 111-13, individuals whose income was 125% of the poverty level or less could receive a stipend in the Foster Grandparent and Senior Companion Programs. Under prior law, the stipend was \$2.65 an hour. Under P.L. 111-13, individuals whose income is 200% of the poverty level or less are eligible to receive a stipend of up to \$3.00 per hour. P.L. 111-13 removes the prohibition against non-low-income individuals from volunteering in the programs.

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<sup>15</sup> Under prior law, the name of the Corps was the “National Senior Volunteer Corps.”

## **Competitive Grant Award Process**

Prior to the enactment of P.L. 111-13, an application for refunding a Senior Corps project could not be denied unless the Corporation gave the grant recipient a notice of the possibility of the denial and the grounds for the denial at least 75 days prior to denying funding. The grant recipient had to also receive an opportunity to show cause why the application should not be denied. P.L. 111-13 requires that, effective FY2013, each RSVP grant be awarded competitively for a period of three years with an optional three-year renewal if the grantee meets performance measures. The elements for the competitive process must ensure that (1) the resulting grants support an aggregate number of volunteer service years for a given geographic service area that is not less than the volunteer service years of the previous grant cycle for the same geographic area, (2) the resulting grants maintain a similar program distribution, and (3) every effort is made to minimize the disruption of volunteers.

P.L. 111-13 requires that grants expiring in FY2011, FY2012, or FY2013 be evaluated. Grantees that fail to meet performance measures will not have their grants renewed. The successor grant will be awarded through the competitive process. The Corporation may continue to fund programs that fail to meet performance measures for up to 12 months if the competition does not result in a successor grant in order to minimize the disruption to volunteers and disruption of service.

## **Authorization of Appropriations for the Senior Corps Programs**

Section 502 of P.L. 111-13 authorizes \$70 million for the Retired and Senior Volunteer Program for FY2010. The FY2009 appropriation is \$58.6 million. P.L. 111-13 authorizes \$115 million for the Foster Grandparent Program for FY2010. The FY2009 appropriation is \$109.0 million. P.L. 111-13 authorizes \$55 million for the Senior Companion Program for FY2010. The FY2009 appropriation is \$46.1 million. All three programs are authorized for such sums as may be necessary for each of the fiscal years 2011 through 2014.

## **Additional Provisions**

Some additional provisions in P.L. 111-13 apply to both NCSA and DVSA programs, though the amendments are to NCSA, and are discussed below.

## **Growth in National Service**

Section 121(f) of P.L. 111-13 requires the Corporation to develop a plan to establish the number of approved national service positions at 88,000 for FY2010 and to increase the number to specific levels each fiscal year. By FY2017, 250,000 approved positions are to be established. An approved national service position is defined in statute as a position for which the Corporation has approved the provision of a national service educational award. Programs in which members can receive an educational award include the AmeriCorps State and National Program, the Educational Award Only Program, the National Civilian Community Corps, the VISTA Program, and the new Serve America Fellowships.<sup>16</sup> For FY2008, there were an estimated 75,000 approved national service positions.

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<sup>16</sup> P.L. 111-13 also requires in Section 193A (b)(1) the Corporation in collaboration with the State Commissions to develop a plan for having 50 percent of all approved national service positions be full-time positions by 2012.



## **Evaluation and Accountability**

Section 179 of P.L. 111-13 requires that the Corporation establish, in consultation with grantees receiving assistance under NCSA and DVSA, performance measures for each grantee. Grantees are required to submit to the Corporation corrective plans if they fail to meet the established levels of performance. The Corporation will reduce (by at least 25%) or terminate the grant of a grantee that continues to fail to meet performance levels after a period for correction.

## **Civic Health Assessment**

Section 179A of P.L. 111-13 establishes a partnership between the Corporation and the National Conference on Citizenship to create a Civic Health Assessment. The partnership facilitates the establishment of a Civic Health Assessment by selecting a set of civic health indicators, obtaining civic health data relating to the assessment, conducting related analyses, and reporting the data and analyses. The partnership will, at least once a year, prepare a report that enables communities and states to assess their civic health, as measured on each of the indicators comprising the Civic Health Assessment, and compare those measures with comparable measures of other communities and states.

## **Criminal History Checks**

Section 189D of P.L. 111-13 requires that entities selecting individuals to serve in a position in which the individuals would receive a Corporation grant-funded allowance, stipend, educational award, or salary conduct a criminal history check for such individuals. An individual that is registered, or required to be registered, on a sex offender registry or has been convicted of murder is ineligible to serve.

## **Training and Technical Assistance**

P.L. 111-13 creates a new Subtitle J of Title I, which consolidates the training and technical assistance provisions that were contained throughout the prior law. The Corporation is required to provide technical assistance to the NCSA and DVSA programs. Priority is given to programs where services are needed most, where national service programs do not currently exist, or where the programs are too limited to meet community needs. Additionally, priority is given to programs that focus on service opportunities for underserved rural and urban areas or that seek to develop a service component that combines students, out-of-school youth, and older adults as participants to provide community services.

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